

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

NICOLE HANNA,

Plaintiff,

V.

INTEGRITY RECOVERY SOLUTIONS, LLC,  
d/b/a CORE RESOURCE PARTNERS, and  
DAMONE JAMES, individually,

Defendants.

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1-15-CV-582 RP

**ORDER**

On July 9, 2015 Plaintiff filed this action in this Court naming as defendants Integrity Recovery Solutions, LLC, d/b/a Core Resource Partners, and Damone James, individually. E-Z Insurance Agency, Inc. On November 9, 2015, the Court ordered Plaintiff to show cause in writing why the claims against defendants in this case should not be dismissed for failure to timely effectuate service. On that same date, Plaintiff filed a response, as well as proof of service, indicating defendants had been served and their answers were due on November 16, 2015. Accordingly, the Court ordered Plaintiff to move for entry of default and a default judgment against defendants on or before December 16, 2015.

Plaintiff complied with the Court's order. However, by order dated January 28, 2016, the Court denied Plaintiff's motion for default judgment, noting a number of factual and legal deficiencies in the motion, as well as Plaintiff's pleadings. To date, Plaintiff has not amended her pleadings, or sought any further relief in this case.

A district court has authority to dismiss a case for want of prosecution or failure to comply with a court order. FED. R. CIV. P. 41(b); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998). This authority "flows from the court's inherent power to control its docket and prevent undue delays in the disposition of pending cases." *Boudwin v. Graystone Ins. Co.*, 756 F.2d 399, 401 (5th Cir.

1985) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 82 S. Ct. 1386 (1962)). Such a dismissal may be with or without prejudice. *Long v. Simmons*, 77 F.3d 878, 879-80 (5th Cir. 1996).

Accordingly, the Court ORDERS Plaintiff to show cause in writing **on or before Friday, March 11, 2016** why this action should not be dismissed for want of prosecution.

**SIGNED** on February 22, 2016.

A handwritten signature in blue ink, appearing to read "R. Pitman", with a long horizontal flourish extending to the right.

ROBERT L. PITMAN  
UNITED STATES DISTRICT JUDGE